

REMARKS

Claims 3-5 and 22-33 are pending in the present application. Claims 3, 22, 25, 26, 28, 29, 31, and 32 have been amended. Claims 3-5 and 22-33 are independent claims.

The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and the following Remarks.

Interview on April 4, 2006

Applicants wish to thank Examiner Mark E. Wallerson for taking the time to discuss the present application with Applicants' representative, Jason Rhodes (Reg. No. 47,305) during the personal interview conducted on April 4, 2006. The substance of the interview is provided below.

Claims Discussed: Claims 3-5 were discussed.

Prior Art Discussed: U.S. Patent No. 6,157,436 to Cok (hereafter "Cok");
U.S. Patent No. 6,771,896 to Tamura et al. (hereafter "Tamura");
U.S. Patent No. 5,930, 810 to Farros et al. (hereafter "Farros"); and
U.S. Patent No. 6,058,277 to Streefkerk et al. (hereafter "Streefkerk").

Proposed Amendments: Applicants proposed the above amendments to claim 3.

General Results: No agreement was reached regarding claim 3. However, the Examiner indicated that rejections of claims 4 and 5 would be reconsidered in view of Applicants' arguments.

Rejection Under 35 U.S.C. § 103

Cok/Tamura

Claims 3, 22, 25, 28, and 31 stand rejected under 35 USC § 103(a) as being unpatentable over Cok in view of Tamura. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

No Teaching of Print Order Device

MPEP § 2143.03 sets forth the following requirements for a proper rejection under 35 U.S.C. § 103:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Independent claim 3 recites a system including a print order device and print processing device. Claim 3 further recites that the print order device receives a digital storage medium, and reads image data from the digital storage medium, and transmits to the print processing device both the image data and order data including a number of print copies to be printed. Independent claims 22, 25, 28, and 31 recite similar features.

In the rejection, the Examiner relies on the combination of Cok's splicer 100 and scanner 102 to teach the claimed print order device. The Examiner further relies on the combination of Cok's Image Data Manager (IDM) 170 and printer 130 to teach the claimed print processing device. See Office Action at page 2, last paragraph, "...Cok discloses a print order system (figure 1), comprising: a print order device (100 and 102), and a print processing device (170 and 130)."

However, Applicants respectfully submit that Cok's splicer and scanner do not receive a *digital* storage medium. Instead, Cok teaches that a *filmstrips* are input and processed by the

splicer and scanner, in order to output digital image data. See col. 6, lines 1-29. Applicants submit that filmstrips cannot be interpreted as digital storage media.

In the Reply filed October 7, 2005, Applicants similarly argued that Cok fails to teach that the alleged “print order device” (i.e., splicer and scanner) receives a digital storage medium, as claimed. Applicants note that, in the Response to Arguments of the present Office Action, the Examiner now cites portions of Cok indicating that the media station 111 receives magnetic or optical disks. However, this media station 111 *is not part of* the splicer and scanner relied on by the Examiner to teach the print order device. Furthermore, there is simply no teaching or suggestion in Cok that this device also transmits order data including a number of print copies to be printed.

Thus, it is respectfully submitted that Cok fails to teach the claimed print order device. Further, Applicants submit that Tamura fails to remedy this deficiency.

Examiner’s Modified Interpretation of Cok

During the interview, however, the Examiner suggested that the combination of Cok’s IDM and media station could be interpreted as the print order device. According to this modified interpretation, it must be presumed that the Examiner relies on Cok’s printer 130 alone as the claimed print processing device, rather than the combination of IDM and printer previously relied on by the Examiner. However, Applicants respectfully submit that this modified interpretation is untenable for the following reasons.

Claims 3, 22, 25, 28, and 31 recite that the print processing device calculates a print end time of the printer according to the image data transmitted from the print order device, and transmits the calculated print end time to the print order device. The Examiner admits that Cok does not clearly disclose these features, and relies on Tamura to remedy this deficiency.

Tamura teaches a system for printing images received directly from a customer’s electronic camera 100 (col. 10, lines 7-50) to a including a printing apparatus 220. Tamura’s printing

apparatus includes a main microcomputer 222, and a separate display section 224 and printer 223 (Fig. 3; col. 9, lines 34-41). Specifically, Tamura main microcomputer processes the order information received from the camera, and controls the display section and printer accordingly. Also, Tamura's calculates the print finishing hour based on the order information (col. 10, lines 58-63), and displays it on the display section.

Initially, Applicants point out that there must be a suggestion or motivation to combine the cited references. See MPEP § 2143.01. Here, Applicants submit that no such motivation exists. Tamura discloses a system to be operated by a customer who has brought her camera. Tamura teaches that the print finishing hour is calculated so that the customer will know how long she has to wait for her prints (see, e.g., col. 11, lines 16-19). On the other hand, Cok teaches a system implemented in a photographic laboratory (col. 1, lines 4-5; col. 5, lines 54-56). Cok's system contemplates that the customer will deliver film rolls (or other media) to this photographic laboratory to obtain prints (see col. 1, lines 9-14), and that a chemical developer will operate the system. Thus, Applicants submit that there is no motivation to implement Tamura's calculation of the print finishing hour, which is to inform the customer, in Cok's system, which is not operated or viewed by the customer.

However, assuming for the sake of argument that one of ordinary skill in the art would have been motivated to combine Cok and Tamura, it is respectfully submitted that the resultant combination would not teach every claimed feature. Tamura's microcomputer 222 is much more analogous to Cok's IDM rather than Cok's printer. Thus, the only reasonable way to combine Cok and Tamura would be to calculate the print end time in the IDM, not the printer. In fact, Cok teaches that the IDM "will divide the customer order into multiple sub-orders for respective image printers" (see col. 3, lines 30-35; also, col. 8, lines 21-32). As such, none of Cok's printers receive information regarding the entire customer order; instead, each of Cok's printers is responsible for only part of the order. Thus, Applicants submit that none of the printers in Cok printer would even be *capable* of determining the print finishing hour of the customer's order, as taught in Tamura. Accordingly, the Cok/Tamura combination would fail to teach or suggest a print processing device that calculates a print end time, as recited in claims 3, 22, 24, 28, and 31.

Applicants respectfully submit that claims 3, 22, 25, 28, and 31 are allowable at least for the reasons given above. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Cok/Farros

Claims 4, 23, 26, 29, and 32 stand rejected under 35 USC § 103(a) as being unpatentable over Cok in view of Farros. This rejection is respectfully traversed.

Independent claims 4, 23, 26, 29, and 32 recite calculating, in a print processing device, a print charge according to the image data and order data transmitted from a print order device. Applicants respectfully submit that Cok and Farros fail to teach or suggest this feature.

In the rejection, the Examiner admits that Cok fails to disclose calculating a print charge according to the image data transmitted from a print order device (see Office Action at page 5, second paragraph). The Examiner relies on Farros to remedy this deficiency in Cok. However, Applicants respectfully submit that Farros fails to remedy this deficiency.

In Farros, the customer uses a kiosk or personal computer (PC) 110 to select and arrange graphics into a "print product." The kiosk/PC stores a plurality of predefined forms and graphic files from which the customer may choose. After creating the print product, user can print it out himself (using attached local printer 212) or create a print order for a remote facility 120. Farros further teaches that the Kiosk/PC contains a plurality of Real-time Pricing Files (RPFs) (Col. 4, lines 37-58). Farros's kiosk/PC itself calculates the price of the print order based on the RPFs. Accordingly, the price is not calculated in another device, based on data transmitted from the kiosk/PC.

In fact, for the embodiment utilizing a kiosk and remote printing facility, Applicants submit that the print order is not even transmitted to the remote printing facility until after payment is made by the customer. See, e.g., col. 11, lines 12-18.

Thus, Applicants respectfully submit that Cok and Farros fail to teach or suggest calculating a print charge based on image data and order data transmitted from a print order device, as recited in claims 4, 23, 26, 29, and 32.

At least for the reasons above, Applicants submit that claims 4, 23, 26, 29, and 32 are in condition for allowance. Thus, reconsideration and withdrawal of this rejection is respectfully requested.

Cok/Farros/Streefkerk

Claims 5, 24, 27, 30, and 33 stand rejected under 35 USC § 103(a) as being unpatentable over Cok and Streefkerk, and further in view of Farros. This rejection is respectfully traversed.

Independent claims 5, 24, 27, 30, and 33 recite changing the print sequence when the user accepts a print charge associated with the print sequence change. Applicants respectfully submit that Cok, Farros, and Streefkerk, taken separately or in combination, fail to teach or suggest this feature.

In the rejection, the Examiner admits that Cok fails to disclose changing a print sequence, or allowing a user to accept a print charge associated with the print sequence change (see Office Action at page 6, last paragraph; and page 7, second paragraph). The Examiner relies on Streefkerk to teach changing a print sequence. The Examiner further asserts that “Farros discloses that billing information is sent to the user upon completion of the printing,” citing col. 5, lines 33-50.

However, neither Streefkerk nor Farros disclose a print charge specifically associated with a print sequence change, as recited in the claims.

Applicants submit that Streefkerk contemplates a printing system in an office environment, where a network connects workstations to a plurality of printers. This is evidenced by the discussion in col. 4, lines 1-17 of Streefkerk regarding CAD/CAM design work stations, combined scanner/printers (Fig. 3), system operators. Thus, Applicants submit that Streefkerk is

concerned with changing the print sequence in order to improve office efficiency, not to extract additional fees from a customer.

Furthermore, Applicants respectfully submit that there is no teaching or suggestion in Farros of even allowing the customer to change the print sequence. Thus, Farros does not teach or suggest a print charge associated with a print sequence change.

Thus, Applicants respectfully submit that Cok, Streefkerk, and Farros fail to teach or suggest a user accepting a print charge associated with a print sequence change, as required by claims 5, 24, 27, 30, and 33.

At least for the reasons given above, Applicants respectfully submit that claims 5, 24, 27, 30, and 33 are in condition for allowance. Thus, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion

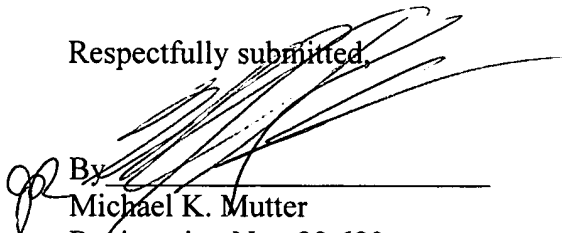
Entry of the Amendment After Final is respectfully requested. In view of the above remarks, Applicants respectfully submit that the application is in condition for allowance.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,


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